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PATENT  
Attorney Reference Number 1342-66940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** James Hammer

**Application No.** 10/728,549

**Filed:** December 4, 2003

**Confirmation No.** Not yet assigned

**For:** HYBRID RETAINING WALL SYSTEM

**Examiner:** Not yet assigned

**Art Unit:** Not yet assigned

**Attorney Reference No.** 1342-66940

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CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s) \_\_\_\_\_

Date Mailed March 10, 2004

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Information Disclosure Statement
- ☒ Form 1449 and copies of non-U.S. patent documents cited thereon
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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cc: Docketing



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**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.97(b)(3)**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicant respectfully requests that these documents be listed as references cited on the issued patent.

Applicant filed this Information Disclosure Statement ("IDS") before the mailing date of a first Office action on the merits. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicant to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A **duplicate** copy of this Information Disclosure Statement is enclosed.

If the present application was filed after June 30, 2003, copies of United States patents and United States published patent applications do not have to be provided to the Patent Office. This requirement of 37 C.F.R. § 1.98(a)(2)(i) has been waived by the United States Patent and

Trademark Office pursuant to the Official Gazette Notice on August 5, 2003 (1276 OG 55).

Applicant will provide copies of such patents upon request.

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

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**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

<b>Attorney Docket Number</b>	1342-66940
<b>Application Number</b>	10/728,549
<b>Filing Date</b>	December 4, 2003
<b>First Named Inventor</b>	Hammer
<b>Art Unit</b>	Not yet assigned
<b>Examiner Name</b>	Not yet assigned

**U.S. PATENT DOCUMENTS**

<b>Examiner's Initials*</b>	<b>Cite No. (optional)</b>	<b>Number</b>	<b>Date</b>	<b>Name</b>
		5,350,256	09/27/1994	Hammer
		5,688,078	11/18/1997	Hammer
		D475,143	5/27/2003	Hammer
		D468,450	1/7/2003	Hammer

**FOREIGN PATENT DOCUMENTS**

<b>Examiner's Initials*</b>	<b>Cite No. (optional)</b>	<b>Number</b>	<b>Date</b>	<b>Country</b>

**OTHER DOCUMENTS**

<b>Examiner's Initials*</b>	<b>Cite No. (optional)</b>	
		"Wall Systems That Provide Solutions To a Variety of Site & Project Requirements," Advertisement, CM News, Volume 31, Number 12, December 2001, Page 17.
		"GravityStone, So Simple, It's Advanced," Contractor's Manual, WestblockSystems, Pages 15-17 (published prior to 12/4/2001).
		"GravityStone, So Simple, It's Advanced," product brochure, WestblockSystems, 4 pages (published prior to 12/4/2001).
		"GravityStone, So Simple, It's Advanced," product brochure, WestblockSystems, 2 pages (published prior to 12/4/2001).

**EXAMINER  
SIGNATURE:**

**DATE  
CONSIDERED:**

\* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.